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09/734,157	12/11/2000	Vinay Kundaje	1999-0565	4211

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EXAMINER

CHOW, MING

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 09/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/734,157

Applicant(s)

KUNDAJE ET AL.

Examiner

Ming Chow

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Claim Objections

1. Claims 1, 8 recite the limitation "the other members" (line 12). There is insufficient antecedent basis for this limitation in the claim.
2. Claims 6, 14 recite the limitation "the members information". There is insufficient antecedent basis for this limitation in the claim.
3. Claim 17 recites the limitation "the attributes". There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 19 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The term "the signal" (line 2) is not clearly defined. It is unclear the claimed "the signal" refers to the first signal, second signal, or the third signal, or all of the three signals.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5. Claims 1-3, 5, 7, 9-11, 13, 15, 18, 19, 21, 22 are rejected under 35 U.S.C. 102(e) as being anticipated by Alfred (US: 6393275).

For claims 1, 7, 9, 15, Alfred teaches on column 4 line 45 to column 5 line 16 a call setup request for the telephone number associated with a user group is received. Notification of the incoming call is delivered to all cellular telephones associated with the cellular telephone line. A first response is received and the call is set up with the first responding cellular phone. When the

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other cellular phones try to respond after the first member responded to the call, the other cellular phones receive “line in use” message indicating the call has been accepted.

Regarding claims 2, 10, Alfred teaches on column 6 line 14-19 and column 7 line 10-19 a second member sends a request to join the first call and a conference call is so set up.

Regarding claims 3, 11, Alfred teaches on column 6 line 59 to column 7 line 2 the first member signals to drop the call with the third party so to block the other members from joining the first call.

Regarding claims 5, 13, Alfred teaches on column 6 line 59 to column 7 line 2 second member request a call initiation request and is so connected.

Regarding claims 18, 21, all rejections as stated in claims 1 and 2 apply.

Alfred teaches on column 6 line 52-53 connects EXT1 and EXT2 (reads on claimed “a third signal”).

Regarding claims 19, 22, Alfred teaches the claimed “first signal” by ringing all members’ cellular phones (column 4 line 64-66). Alfred teaches on column 5 line 10-14 “line in use” indicating the call has been accepted and connected.

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Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 4, 6, 12, 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alfred as applied to claim 1 above, and in view of Jonsson (US: 6115613).

Regarding claims 4, 12, Alfred failed to teach “receiving from.....alerting the.....receiving an.....connecting a.....second member”. However, Jonsson teaches on column 3 line 28-41 members of a subscriber group have both a group identity and an individual identity for each of the members. Incoming call can be directed to a specific member of the group. Therefore, the second member as claimed (as a member of the group) can receive a second call initiation request. Also, “Official Notice” is taken that it is old and well known to one skilled in the art that when the second member receives the call initiation request (also reads on the claimed “alerting the second member”), the second member can respond with acceptance of the call request and thereafter the call is connected. It would have been obvious to one skilled at the time the invention was made to modify Alfred to have the “receiving from.....alerting the.....receiving an.....connecting a.....second member” as taught by Jonsson such that the modified system of Alfred would be able to support the second call initiation request and connect the second call to the system users.

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Regarding claims 6, 14, Alfred failed to teach “signaling the.....the first member”.

However, Jonsson teaches on column 6 line 15-26 the calling party’s name and phone number are displayed at on group member’s mobile phones. Also, the name of the responding group member is displayed on other group members’ mobile phones. It would have been obvious to one skilled at the time the invention was made to modify Alfred to have the “signaling the.....the first member” as taught by Jonsson such that the modified system of Alfred would be able to support the signalings to identify the initiating party and the responding member to the system users.

7. Claims 8, 20 , 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alfred as applied to claim 1 above, and in view of Grube et al (US: 5463617). Alfred failed to teach “the other members.....supervisory authority”. However, Grube et al teach on column 4 line 62-67 a supervisory communication unit among a communication group supersedes all other transmissions. It would have been obvious to one skilled at the time the invention was made to modify Alfred to have the “the other members.....supervisory authority” as taught by Grube et al such that the modified system of Alfred would be able to support the supervisory member to the system users.

8. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Alfred as applied to claim 9 above, and in view of Ahya et al (US: 6600928).

Alfred teaches on column 2 line 25 to column 4 line 42 establishing a new user group.

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Alfred failed to teach “a request over a network”. However, Ahya et al teach on column 5 line 19-22 creating a group (mobile communication device) over a network.

It would have been obvious to one skilled at the time the invention was made to modify Alfred to have the “a request over a network” as taught by Ahya et al such that the modified system of Alfred would be able to support the request over a network to the system users.

9. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Alfred as applied to claim 9 above, and in view of Rosenthal et al (US: 5953400). Alfred failed to teach “receive a request.....the user group”. However, Rosenthal et al teach on column 8 line 21-26 a member reconfigures a group and the reconfigured data are stored into the database. It would have been obvious to one skilled at the time the invention was made to modify Alfred to have the “receive a request.....the user group” as taught by Rosenthal et al such that the modified system of Alfred would be able to support the request from a member to modify attributes of the user group to the system users.

Conclusion

10. The prior art made of record and not replied upon is considered pertinent to applicant's disclosure.

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- Roy (US: 6600725) teaches apparatus and method for providing multimedia conferencing services with selective information services.

11. Any inquiry concerning this application and office action should be directed to the examiner Ming Chow whose telephone number is (703) 305-4817. The examiner can normally be reached on Monday through Friday from 8:30 am to 5 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached on (703) 305-4895. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Customer Service whose telephone number is (703) 306-0377. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to Central FAX Number 703-872-9306.

Patent Examiner

Art Unit 2645

Ming Chow



FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

